

City of Santa Barbara

**CREEKS RESTORATION AND WATER QUALITY IMPROVEMENT CITIZENS
ADVISORY COMMITTEE**

Regular Meeting

Wednesday, April 26, 2006

MINUTES

The regular meeting of the Creeks Restoration and Water Quality Improvement Program Citizens Advisory Committee was called to order by Chair DeVoe at 5:35 p.m. at the David Gebhard Public Meeting Room.

1. CALL TO ORDER

2. ROLL CALL

Members Present

Myfanwy DeVoe (Chair)	Environmental/Land Use
Michael Jordan (Vice Chair)	Business Community
Bruce Klobucher	Ocean Users
Jeff Phillips	Environmental/Land Use
David Pritchett	Environmental/Land Use
George Weber	Environmental/Land Use
Daniel Wilson	Community at Large

Members Absent

Daniel E. Hochman	Hotel/Lodging Industry
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Liaison Representatives Present

Rob Almy	County Project Clean Water Liaison
Iya Falcone	City Council Liaison
Bendy White	Planning Commission Liaison Alternate

Liaison Representatives Absent

John Jostes	Planning Commission Liaison
Beebe Longstreet	Park and Recreation Commission

Staff Present

Jill E. Zachary	Creeks Restoration/Clean Water Manager
George Johnson	Creeks Restoration Planner
Jan Hubbel	Senior Planner

3. APPROVAL OF MINUTES OF THE REGULAR MEETING OF MARCH 15, 2006.

ACTION:

Wilson moved, seconded by Jordan, and passed 6/0 that the Committee approve the minutes of the regular meeting of March 15, 2006. Wilson abstained.

4. AGENDA ADJUSTMENTS

None.

5. PUBLIC COMMENT

None.

6. ANNOUNCEMENTS

Mr. Wilson announced that a WELDesign landscape project won the Goleta Valley Beautiful 2006 Sustainable Award and a free public tour is scheduled for Saturday, May 6th from 10:00 am to 2:00 p.m. at 845 Norma Way.

Mr. Pritchett announced that upper State Street development issues were brought before the City Council. He said that Planning Division staff recommended that the Creeks Citizens Advisory Committee be included in the review process.

Ms. Zachary announced that the Creeks Citizens Advisory Committee has an Environmental/Land Use seat available. She said that applications are due to the City Clerk's office by May 26th at 5:00 p.m. with interviews being held before the City Council on June 13th at 6:00 p.m. and June 20th at 3:30 p.m. She said that the appointments would be made in July.

7. BUSINESS ITEMS

a. Review of the Proposed Restoration of Arroyo Burro for the Veronica Meadows Development Project

Mr. Swanson, Swanson Hydrology and Geomorphology, gave a brief presentation on the proposed restoration of Arroyo Burro for the Veronica Meadows residential development project. He said that stabilizing the creek by using natural features and materials was the objective for the project.

Mr. Swanson reviewed several projects that include elements that could be applied to the proposed restoration. He said that boulder weirs and benching could be used to hold the grade, prevent incision, and offer natural geometry and morphology. He said that natural boulder revetments are designed to not move in large floods and that vegetated rock toes could also be used to create fish habitat and support vegetation. Mr. Swanson also reviewed boulder placement techniques, and the use of coconut fiber, brush layering, coir rolls, landslide re-vegetation, and sod revetment to stabilize the creek banks.

COMMITTEE DISCUSSION:

Mr. Jordan asked what the red lines signify on the grading plan and why the profile image appears to include the deepening of the creek. He also asked if restoration work is intended for the road-side of the creek (east bank) or the development-side (west bank).

- Mr. Swanson responded that the solid red line closest to the creek refers to the EIR top-of-bank and the other red line is the proposed top-of-bank. He said that the creek would need to be over-excavated in order to include the boulder weirs but the profile line would remain at the same depth. Mr. Swanson responded that work is intended for both sides of the creek.

Mr. Wilson asked if boulder revetments are the best option considering the depth of the Arroyo Burro channel. He noted that the examples presented were of shallow creek profiles. Mr. Wilson asked what would happen to the surface water coming from the Campanil Hill tributary. Mr. Wilson asked where the residential stormwater runoff would go.

- Mr. Swanson responded that the hydrological model includes rock size, velocity, interlocking boulder weirs and revetment in which the largest rock moves before the smaller rocks. He added that the scour process is desired for ecological concerns and said that he is confident that the boulder revetments would work.
- Mr. Swanson said that with regard to the Campanil Hill tributary, the new layout eliminated the possibility of a boulder-lined channel through backyards. He said that the plan is to incorporate a seasonal wetland treatment pond before the water is piped to a creek outlet. He said that the Campanil Hill tributary is a dry, storm-response type of channel and would not be exposed to storm water pollution because it would be in a pipe rather than in residential backyards. He added that all hardscape surfaces would have bioswales to treat the runoff but the layout has not yet been designed.

Mr. Pritchett asked which hydraulic model was used and if there is a budget for implementing the restoration plan.

- Mr. Swanson responded that he used the Hydrologic Engineering Centers River Analysis System (HEC- RAS) model and that a budget for implementation has not been created.

Mr. Klobucher asked how the location for the pedestrian bridge was selected.

- Mr. Swanson responded that the bridge location was chosen to facilitate pedestrians and cyclists traveling from the end of Alan Road to Las Positas Road. He added that roadways of the Veronica Meadows project are to be private roads.

Mr. Weber asked if the lines on the plans are building envelopes or footprints.

- Mr. Swanson responded that they are envelopes in which buildings would be constructed but not the building footprint.

Mr. Phillips stated that in March 2004 the Arroyo Burro Vision Group created a community vision for the Arroyo Burro watershed. He said that this vision included the placement of bio-engineered natural solutions such as bioswales and native plantings in place of the hard-bank improvements along creeks and drainages.

Mr. Phillips said that the new proposal includes development in areas within 50 feet of the stabilized top-of-bank. He said that the Advisory Committee had previously passed a motion recommending a 100-foot setback from the EIR top-of-bank and does not believe that the Committee should reconsider that recommendation.

Mr. Phillips said that the current plans propose that the Campanil Hill tributary be placed in a culvert and the Committee had previously made a recommendation that this drainage not be channelized. Mr. Phillips said that the pedestrian trail has also been relocated from the development side of the creek to the City parcel and a bioswale has been removed from the plans.

Mr. Phillips said that the plans read more like a channelization project rather than a restoration project. He said that it is a re-engineering of the creek that moves 15,000 cubic yards of soil, which would likely have an impact on the creek. He said that rock revetment stabilization along 1,600 linear feet of channel would create the same type of constrained channel that is causing problems elsewhere in the city. He said that the best natural form of creek-bank stabilization is the use of mature trees but the proposed restoration entails removing four eucalyptus, seven oak trees, one sycamore, and 43 willow trees from the existing creek banks. He said that the stabilizing function of the trees will presumably be replaced with rock fill. Mr. Phillips said that this is not restoration, it is re-engineering and that to restore a natural system is an attempt to return the system to a previously natural state representative of before human disturbance.

Mr. White asked if the developer would discuss the creek setbacks.

- Mr. Swanson said that the setback is measured by the EIR proposed top-of-bank. He said that the 50-foot setback indicates a riparian conservation zone and that between 50 and 100 feet from top-of-bank is the “structure exclusion zone” but includes porches, patios and paving. He added that Mr. Lee is open to restrictions regarding decks, etc.

Mr. Jordan asked if one of the homes is less than 50 feet from the proposed top-of-bank.

- Mr. Swanson responded that one of the homes is within 50 feet of the top-of-bank, following the proposed restoration.

Public comment opened at 6:30 p.m.

Mr. Mc Carter asked to what degree the construction would affect the tidewater goby and asked if there would be a measurable improvement in the water quality

of the runoff from the Veronica Meadows property. He said that he is concerned with the proposed bridge location because it will not connect with the trail that leads to Las Positas Valley and suggested that the bridge be located across from the Elings Park driveway.

- Mr. Swanson responded that segments of the creek would be dewatered and one of the permit requirements is that turbid waters not leave the site.
- Mr. Lee responded that the pedestrian bridge is a community asset and benefit that belongs on public property.

Ms. Hauser, Heal the Ocean, said that it is too bad that the City does not have a restoration plan for this reach of the creek and said that Measure B was passed for the purpose of doing creek restoration. She asked if the City was planning to design a restoration project at this site.

- Ms. Zachary responded that the Creeks Division has implemented both restoration projects and water quality improvement projects on a site-by-site basis. She said that this location on Arroyo Burro includes 5.9 acres that are publicly owned and that a restoration plan has not been developed for this site because of the private development proposal that has been in process. She said that the Creeks Division has participated in this process. Ms. Zachary said that the Citizens Guide to the Watersheds will be distributed to the community and this document, in conjunction with the Existing Conditions Study will lead to a long range plan to restore Arroyo Burro, Mission Creek, and Sycamore Creek. Ms. Zachary added that City projects are located on publicly owned land but the majority of creeks are privately owned and the City is working to facilitate restoration on both public and private land.

Mr. Knapp said that he does not want Alan Road to be the entrance to the Veronica Meadows residential development. He said that there will be resistance from the 200 residents of Alan Road and suggested that the automobile bridge be re-included in the plans.

Ms. Cramer said that she is against the project if access is not made from Las Positas Road instead of Alan Road. She said that the neighborhood has been safe with one entrance/exit point and she would like it to continue that way.

Public comment closed at 6:45 p.m.

The Committee recessed at 6:45 p.m. and reconvened 7:00 p.m.

COMMITTEE DISCUSSION:

Ms. Zachary said that this is an opportunity for the Committee to make recommendations on the restoration plan. She said that Committee recommendations may address the following:

- The proposed restoration design, including:
 - Creek bank stabilization

- Non-native plant removal and riparian replanting
 - Set-backs
 - Buffer zone
- Pedestrian trail location
- Pedestrian bridge location
- Site drainage and water quality treatment
- Phasing of restoration plan implementation

Ms. Zachary stated that this is the first opportunity that the applicant has had to present the revised layout as it relates to creek restoration. She stated that additional meetings include the Park and Recreation Commission meeting on May 17th and the Planning Commission meeting on June 8th. She added that the Committee could appoint members to draft a memorandum on the Committee's recommendations and attend the Commission meetings.

Mr. Pritchett asked if this is only opportunity for the Creeks Advisory Committee to review the project.

- Ms. Zachary responded that, at the request of the City Council, this is the Committee's opportunity to make recommendations.

Mr. Klobucher asked if this project will impact the ability to do creek restoration on the reach of creek that runs along Alan Road.

- Mr. Swanson responded that this project is an example of the type of restoration that could occur downstream.

Mr. Wilson asked if the development could be constructed without active restoration at the moment so that a mitigation bank could be established. He recommended writing a conservation easement and buffer zone into the deed.

- Ms. Zachary responded that the City owns a fraction of creek banks and will be looking to private landowners to do restoration on their own property. She said that if the restoration along this property does not take place before the private lots are created, then each of those landowners would need to be involved in the restoration.

Mr. Wilson asked if the hydrologic model, grading plan, rock revetments, and benching take the anticipated growth of the mid and upper watershed into consideration. He asked if the hard elements included in the design can move and shift over time and allow for energy dissipation. Mr. Wilson said that this project reach should not have to mitigate for water quality and flood flows throughout the watershed.

- Mr. Swanson responded that the middle of the watershed is highly urbanized and piped. He said that it is maxed-out with regard to peak flows. Mr. Swanson said that the project is designed to handle a 100-year storm but the smaller, more frequent storms cause more erosion. He said that the restoration plan is designed to address the regular floods, protect Las Positas Road, and encourage the ecosystem to develop and grow. He said that the revetment is designed to come up ¼ of the channel bank so that

the toe is not eroded, and the design allows scouring and deposition of fine soils while allowing for energy dissipation.

Mr. Jordan asked if the same method of design would be used (rock revetments, excavation, benching) if the City were to undertake this restoration project. He asked if the placing of a trail on the east side of the creek would be prudent. Mr. Jordan asked if there is room on the City parcel for the bioswales that are not included but would benefit the design.

- Mr. Johnson responded that the elements that Mr. Jordan mentioned could be included in a City restoration plan at this location and that it might be possible to incorporate a detention or retention basin in the widest portion of the City owned parcel.
- Ms. Zachary responded that if the City were to construct a trail a number of factors would be assessed including location, slope, terrain, anticipated users, installation, and maintenance. She said that the Creeks Division has built pedestrian trails of decomposed granite along restoration projects and that in 2004 the Committee discussed the inclusion of viewing areas and trails at this site. She said that Highway 225 is not a safe road for pedestrians.

Mr. Weber asked if there are four outfalls to convey runoff from the development to the creek and if any structural Best Management Practices (BMPs) would be implemented to treat the runoff before entering the creek.

- Mr. Lee responded that the original proposal included two outfalls but the EIR indicated that four outfalls would be preferable. He said that the number of outfalls is currently undetermined and that all feasible BMPs would be implemented.

Ms. DeVoe stated that the Committee had previously voted to recommend a 100-foot setback from the top-of-bank. She said that she understood that there is now a 50-foot setback and the area between 50 feet and 100 feet includes a number of backyards.

- Mr. Lee responded that the initial recommendation for a 100-foot setback was based on a "worst case scenario" because it was unknown what the restoration project would look like. He said that this proposal changes the nature of what an appropriate setback would be.

Mr. Swanson responded that the project addresses erosion with the proposed armoring and benching of the creek channel. Mr. Swanson said that the applicant has proposed incorporating a top-flight low-impact development storm water treatment system including covenants, conditions and regulations (CC&Rs) that regulate pesticide/herbicide use, planting, and other pollution generating activities. He said that the applicant is receptive to the use of permeable surfaces, and routing rooftop/road runoff to bioswales. He said that backyard bioswales have been discussed.

Mr. Lee responded that the 50-foot and 100-foot setbacks were chosen for

consistency. He said that these setbacks are arbitrary and if the bank is restored then the setbacks would be decreased because the science would no longer dictate that large of a buffer zone.

Ms. DeVoe asked if there would be CC&Rs that dictate what types of chemicals homeowners can use in their lawns or if the runoff would flow into bioswales.

- Mr. Lee responded that he does not know where the bioswales would be located but expressed his commitment to strict CC&Rs, BMPs and consistency with the City's Integrated Pest Management program. He stated that the CC&Rs can be strict but once he is no longer involved, the Homeowners Association would be responsible for future enforcement. He said that said that the CC&Rs could be written into the title of the properties or the City might impose conditions including inspections or testing to ensure compliance with the CC&Rs.
 - Mr. Swanson responded that two potential locations for bioswales are backyards or parallel to the incoming road.

Mr. Pritchett asked for a summary of the City's process and the applicant's process for developing a restoration project.

- Ms. Zachary responded that the City's process includes hiring a design or engineering firm to come up with multiple concepts and preliminary designs. She said that the concept designs are assessed to determine if they meet the project's objectives and a design is then selected. She said that the environmental review and permitting process is then undertaken and community meetings are held.
- Ms. Zachary responded that the Veronica Meadows residential development has evolved. She said that the restoration element has been further defined during the past year and that the Committee had an opportunity to discuss the restoration concepts in February 2005. Ms. Zachary stated that additional work has been done since that time and this is why the restoration element is being brought before the Committee at this time.

Mr. Pritchett asked if this project can go through the City's process, at the City's pace. He said that he feels that the Committee's options are constrained.

- Ms. Zachary responded that the Veronica Meadows residential development proposal includes the restoration of Arroyo Burro and is currently under consideration by the City. She said that there is no reason to change the process because she believes that the City Council is committed to having all relevant Committees and Commissions provide recommendations on the project. She said that the key issues for this Committee to consider are 1) how and when the proposed restoration would take place, and 2) whether the proposed restoration meets the City's objectives for this reach of the creek.

Ms. DeVoe commented that this project includes the restoration of public property by a private developer and this is the first time that the Committee has been asked

to review this type of project.

Ms. Zachary responded that the proposed development project does not specify how and when the restoration would take place.

Mr. Swanson responded that the plans are currently at 35% completion.

Mr. Pritchett said that he believes that the plans could be changed considerably and does not understand why the City cannot design a project at this location to be implemented on the City's timeline. He said that the Committee is being asked to accept this project and asked if the restoration could be the City's design.

- Mr. Amerikaner, attorney for the applicant, responded that the creek restoration was originally a part of the project because the EIR identified the vehicle bridge as causing creek impacts. He said that with the removal of the bridge, creek restoration is no longer a required element of the development project.

Mr. Pritchett asked Mr. Amerikaner how he knows that the restoration is no longer required since the proposed project has not been reviewed by the Planning Commission.

- Mr. Amerikaner responded that the EIR identified the vehicular bridge as the cause of creek impacts and when the bridge was removed from the design, the impact was eliminated. He said that if the Committee believes that creek restoration should not occur for any reason then the Committee should tell the City Council that it does not believe that this reach of Arroyo Burro should be restored. He said that the applicant is here to present a creek restoration plan that is as good a plan as one can find and receive comments on that plan.
 - Mr. Pritchett responded that the restoration element is a part of the residential development package regardless of the bridge. He said that the Committee needs to determine the degree to which the applicant is committed to implementing this restoration project and that the Committee also needs to determine if it likes the proposed restoration project. He suggested that the City modify the project to follow the City's process and meet the City's goals for this reach of the creek. He said that he feels that the City is being told to "take it or leave it" and he does not believe that those are the only two options.

Mr. Jordan asked if there is a commitment on the part of the applicant to fund the restoration project and pedestrian bridge.

- Mr. Lee responded that he is not here to discuss the topic of funding with the Committee but as the development plan moves forward, there are many parameters to be discussed with the Architectural Board of Review (ABR), the Planning Commission, and the City Council. He said that the issue is, "What's in it for the City?" Mr. Lee added that the creek restoration was not mitigation for the bridge and that the EIR did not require creek

restoration in response to the Class I impact of the bridge.

Mr. Lee added that as the project moves forward, he will be able to evaluate whether or not he can make any contribution to creek restoration. He said that he is hoping that all City Commissions and Committees reviewing this project will create a prioritized list of requests. He said that he knows that the City would like creek restoration, a signal light, a trail, and a pedestrian bridge. Mr. Lee said that he cannot totally restore the 1,800 linear feet of creek and that it is not technically practical for each property owner, himself and the City, to restore their respective properties. He said that it is feasible to restore sections of the creek and would like the Committee's input on that matter.

Mr. Jordan recommended that the pedestrian bridge be relocated across from Elings Road. Mr. Jordan said that the trail could also run down the road rather than along the creek.

- Mr. Lee responded that this is a private development that does not intend to invite the public to access a public trail on private property. He added that he will have to evaluate this type of request as the project moves forward.

Mr. Wilson asked where the excavation spoils would go. He suggested that native Santa Barbara stones be used and asked if it is necessary to place the ephemeral drainage from Campanil Hill into a culvert. He asked if there are other alternatives to placing the drainage in a culvert or if it is financially more feasible to place it in a culvert rather than leaving it exposed.

- Mr. Lee responded that the spoils could likely be balanced onsite and said that the ephemeral drainage issue should be added to the wish list. He said that the nature of running the drainage above or below ground is similar to the issues of public access on private property, the inclusion of circulation elements, and creek restoration planning for Alan Road. He said that all of these issues have substantial financial impacts and he believes that the ephemeral drainage is a much lower priority compared to other alternatives. Mr. Lee responded that it is less costly to place the drainage in a culvert.

Ms. Falcone stated that in the prior proposal that was not approved by the City Council, there was an aesthetic element that was above ground and meandered through the property but the majority of the runoff was to be piped underground.

Mr. Wilson encouraged the applicant and staff to consider designs that support groundwater recharge by maintaining water on the development site.

Mr. Klobucher asked when the restoration would take place.

- Mr. Lee responded that he cannot respond to that question at this time.

Mr. Weber asked if the automobile bridge would be reincorporated into the project.

- Mr. Lee responded that the automobile bridge will not be reincorporated into the project.

Mr. Jordan said that he is concerned that the plans are only 30-40% complete, the water percolation elements were not a part of the presentation, and project funding has not been determined. He said that he would like to have further discussion before making recommendations and added that he believes that the sheet flow should be slowed and retained rather than being placed in a culvert. Mr. Jordan said that any flow into the creek needs to be diffused through multiple discharge points and that he would like to know where those discharge points would be located and what their impact would be to the restoration plan. He recommended a peer review of the design and an independent cost analysis. Mr. Jordan proposed that the pedestrian bridge be relocated to span a less volatile portion of the creek with a more logical link to traffic from Elings Park, and stated that the applicant had previously proposed using public land for a private bridge.

Mr. Pritchett moved to support numbers 2, 3, 4, and 5 on the list of comments supplied by Mr. Phillips.

Mr. Klobucher requested that the motion be split into individual motions.

Mr. Pritchett withdrew his motion.

Mr. Pritchett moved, seconded by Wilson, that the Committee recommend to the Parks Commission, Planning Commission, City Council and others in the city that this residential development, including the rear of the lots, stick to the 100-foot setback per the EIR.

Mr. Jordan asked if the motion includes bare land on the lot or housing structures.

- Mr. Pritchett responded that the back yards should be outside of the 100-foot setback.

Mr. White stated that by moving into motions, the Committee is losing the ability to discuss the project. He said that the Committee is being asked to review the conditions of approval for a project that is still undefined. He said that project funding sources will be determined after the size of the project is determined. He added that the 100-foot setback is a good idea and the concerns with the ephemeral drainage are appropriate.

Mr. Wilson responded that believes that the project can still change and that there is uncertainty with regard to the capital investment for the installation of the project or the long-term maintenance of the project.

- Ms. Hubbel responded that the adjusted top-of-bank was an EIR top-of-bank as opposed to the applicants proposed top-of-bank.

Ms. Falcone commented that this is a conceptual plan and the City Council is seeking recommendation from various Committees and Commissions in order to determine whether or not to approve the overarching conceptual design of the project. She said specific details will later be assessed.

Mr. Pritchett said that the Committee's opinion should not change from the last time this project was reviewed. He said that it is important to reconfirm the Committee's opinion and suggested that the Committee comment on the restoration plan as a whole.

Mr. Wilson called the vote. He also emphasized that the Committee voted to support a 100-foot setback from the existing geomorphic top-of-bank. He said that the issue of creek buffers and restoration are the most important creek and development related issues.

ACTION:

Mr. Pritchett moved, seconded by Wilson, and passed 5/1 that the Committee recommend to the Parks Commission, Planning Commission, City Council and others in the City that this residential development, including the rear of the lots, stick to the 100-foot setback per the EIR.

Mr. Klobucher said that he is hesitant to get into specific elements because it seems that there will be plenty of time to offer input once further details have been flushed out.

Mr. Weber stated that he believes that the motion was valuable because it is an over-reaching issue. He said that he would like assurance that the Committee will have the opportunity to offer input in the future.

Mr. Pritchett said that the Committee does not need to avoid making comments at this time because the Commissions that will be reviewing the project in the future are interested in the Committee's opinion.

Mr. Wilson moved, seconded by Weber, that the Committee recommend that, to the extent feasible, surface water is maintained on the surface throughout the entire project site.

Mr. Pritchett offered the following friendly amendment, "especially in the Campanil Hill tributary to remain as a natural channel."

Mr. Wilson did not accept the friendly amendment as proposed and updated the motion as follows.

ACTION:

Mr. Wilson moved, seconded by Weber, and passed 6/0 that the Committee recommend that, to the extent feasible, the surface water is maintained on the surface throughout the entire project site, including the ephemeral drainage from Campanil Hill.

Mr. Jordan moved, and seconded by Wilson, that the Committee's recommendations also include the recommendation that this Committee review the

details again once the details are ascertained.

Mr. Wilson suggested the friendly amendment, “specifically as related to creek issues.”

Mr. Jordan accepted the friendly amendment.

Mr. Pritchett asked if the intent of the motion is for the Committee to review the plan between the Planning Commission and City Council meetings.

- Mr. Jordan responded that the intent of the motion is to recommend to Council that they grant the Committee additional time to offer opinions after the project has gone to the Park and Recreation Commission, Architectural Board of Review, Planning Commission, and City Council.

Mr. Pritchett said that there is no point in seeing the project so late in the process since revisions will not be possible.

- Mr. Jordan responded that the input offered today is based on disinformation. He said that a list of suggestions could be drafted today but they may be mute once the project reaches the City Council because the conditions may no longer exist.

Ms. Zachary recommended that the Committee make recommendations related to the creek restoration design as it is currently developed with the knowledge that it is unclear whether, and how, the project will be constructed. She said that it is safe to assume that some restoration will take place.

ACTION:

Mr. Jordan moved, seconded by Wilson, and passed 6/0 that the Committee recommend to Council that the Committee be given the opportunity to review the details of this project following review by the Architectural Board of Review, Park and Recreation Commission, Planning Commission, and City Council specifically related to creek issues.

Mr. Wilson moved, seconded by Klobucher, that the Committee recommend that should public pedestrian access be included in this project, the Committee recommend that the location be more user friendly and suitable for public use.

Mr. Wilson said that this motion is vague in order to find an option that is user-friendly if it is decided that being right next to Highway 225 is not user-friendly.

Mr. Pritchett offered the friendly amendment, “that the project include a pedestrian and bicycle path within the restoration zone, not on the residential the road.”

Mr. Wilson did not accept the friendly amendment.

ACTION:

Mr. Wilson moved, seconded by Klobucher, and passed 5/1, that the Committee recommend that should public pedestrian access be included in this project, the Committee recommends that the location be user friendly and suitable for public use.

Mr. Pritchett moved, seconded by Weber, that pedestrian access be in the creek restoration zone, not the residential road.

Ms. Zachary said that the Committee has voted to recommend that the pedestrian access be in the most favorable location without specifying which side of the creek or whether it would be on a road. She said that she understands that Mr. Pritchett is further defining that access as being within the restoration zone.

ACTION:

Mr. Pritchett moved, seconded by Weber, and passed 4/1 that pedestrian access be in the creek restoration zone, not the residential road. Ms. DeVoe abstained.

Mr. Wilson said that he would like to offer a motion related to the phasing of the restoration plan and plant installation but does not think that it is possible because the funding, maintenance, and design are unknown.

Mr. Pritchett said that the creek restoration project should be designed by the City using the City's process and that the role of the applicant should be to contribute funds to the restoration. He suggested that the work be done at the City's pace with a City design separate from the residential housing project. He said that this is an advantageous means of moving forward because the applicant would no longer have to address the Committee. Mr. Pritchett said that it is clear that the City Council would like to see something given back to the community.

Ms. Zachary that staff is not prepared to present the pros and cons of proceeding with Mr. Pritchett suggestion. She suggested tabling the subject for a future meeting.

Mr. Pritchett said that it must be decided who is going to do what and then determine the applicant's obligation and the cost.

Ms. Hubbell said that the issue of removing the developer from the restoration project is inconsistent with the basic planning approach to development. She said that it is not known to what extent future property owners would participate in maintenance. She said that both the developer and the City lose if the Committee's recommendations require substantially more maintenance than has been programmed into the project or can be taken on by the Homeowners Association.

Mr. Jordan moved, seconded by Weber, that the Committee recommend that storm water flow entering Arroyo Burro be diffused and distributed as much as

possible.

Mr. Weber offered the following friendly amendment, “and as much as possible, employ Best Management Practices to treat for water quality issues.”

Mr. Jordan rejected the friendly amendment.

ACTION:

Mr. Jordan moved, seconded by Weber, and passed 6/0 that the Committee recommend that storm water flow entering Arroyo Burro be diffused and distributed as much as possible.

Mr. Pritchett said that he does not believe that this is the restoration plan that the Committee would like to see implemented. He said that this is not restoration but highly engineered revetment. He said that the motivation of the design is to keep the creek static so that the residential lots are protected from erosion and that this is not what the City should be doing. He said that he would like to determine what the project will cost.

Mr. Jordan said that if Mr. Pritchett would like an answer to the question he needs to ask it to the other Commissions.

Mr. Wilson moved that the Committee recommend that the appropriate City body let the Committee know what will be the City's commitment for initial installation and long-term maintenance.

Ms. Falcone stated that the degree to which this project is feasible is dependent on the Planning Commission's recommendations and City Council. She said that the City is not in the business of restoring or maintaining private property. She said that it is the Committee's purview to determine guidelines, outlines, and programs for private development to restore their own property. She added that there may be more revetment in the project than some people would prefer but it is up to the City Council to balance the issues related to private property and creek restoration.

Mr. Wilson asked Mr. Lee **whether** he is committed to doing the restoration as presented **tonight, if the project gets approved.**

- Mr. Lee responded that he **did not think that it was a realistic question. He cannot speculate on the future and does not think there would be any meaningful discussion about that at tonight's meeting.**
 - Mr. Wilson said that it does not sound like the proposed restoration plan would even happen, so he does not see the point in making specific recommendations **as to whether the Committee likes it or not.**
 - Ms. DeVoe responded that Council would not have asked for the Committee's opinion had they believed it to be useless.

Mr. White stated that a project comes before the ABR for conceptual review and

later returns so that the details can be addressed.

- Mr. Wilson said that understands that the Committee should be making general recommendations with respect to particular elements such as the use of revetments, or channel modifications, or buffers. He said that he understands that now is not the time to make recommendations with regard to the amount of rock used for the revetments.

Mr. Jordan asked Ms. Zachary if the best method would be to restore both sides of the creek banks simultaneously.

- Ms. Zachary responded that creek restoration cannot be done one bank at a time and she does not know if the creek could be restored in phases.
- Mr. Swanson responded that the creek cannot be restored one bank at a time.

Mr. Jordan moved that the Committee recommend that the restoration project be done in whole, or that any phasing of the project be done on both sides of the bank at the same time.

Ms. Zachary suggested that this project return to the Committee as part of a future review and recommended that the Committee work to identify additional information desired in order to take on that discussion at a later date. She suggested that the Committee identify who will be attending the forthcoming public meetings.

Mr. Jordan withdrew his motion.

Mr. Wilson requested additional information related allowable uses within the 50-foot buffer.

Mr. Klobucher said that he is comfortable with the motions made thus far and would like to see the meeting adjourned following the selection of Committee members to attend future public meetings.

Mr. Pritchett stated that the restoration plan should include the reach along Alan Road to Cliff Drive because there are downstream ramifications of the development project and proposed restoration.

Ms. DeVoe recommended that she, Mr. Phillips, and Mr. Pritchett draft a memorandum and attend the future Park and Recreation Commission, Planning Commission, and City Council meetings related to this project.

8. SUBCOMMITTEE AND WORKING GROUPS REPORTS

a. Budget Subcommittee

Klobucher moved, Wilson seconded, and passed 6/0 that item 8a be tabled.

b. Integrated Pest Management Liaisons

Klobucher moved, Wilson seconded, and passed 6/0 that item 8b be tabled.

c. Water Quality Working Group

Klobucher moved, Wilson seconded, and passed 6/0 that item 8c be tabled.

9. STAFF REPORT

a. Tentative Meeting Agenda 2006

Klobucher moved, Wilson seconded, and passed 6/0 that item 9a be tabled.

10. ADJOURNMENT

At 9:55 p.m. there being no further business to come before the Committee,

ACTION:

Jordan moved, seconded by Wilson, and passed 6/0 that the meeting be adjourned.

Respectfully submitted,

Jill E. Zachary
Creek Restoration and Water Quality Improvement
Program Manager